

Batesville-Horn Lake 230 KV

LINE

WA 61428

FCA 350.2

**RIGHT OF WAY INSTRUMENT**

In consideration of \$ 10<sup>00</sup> cash, and other valuable considerations, receipt of all of which is hereby acknowledged, I/we (acting personally for and on behalf of our heirs, successors and assigns and any other person claiming the property hereinafter described, called collectively "Grantor") do hereby grant, convey and warrant unto MISSISSIPPI POWER & LIGHT COMPANY, its successors and assigns (herein called "Grantee"), a right of way and easement \_\_\_\_\_ feet in width for the location, construction, reconstruction, operation, maintenance and removal of electric power lines and circuits and/or communications lines and circuits, including poles, towers, cross arms, insulators, wires, cables, hardware, transformers, switches, guy wires, anchors and all other equipment, structures, material and appliances now or hereafter used, useful or desired in connection therewith, together with the right on said right of way at any time, now or in the future, to lay, construct, inspect, maintain, repair, renew, substitute, change the size of and remove one or more pipelines and all appurtenances thereto for the transportation of liquids, gases, solids, or mixtures of any or all thereof and together with the right on said right of way at any time, now or in the future, to locate, construct, reconstruct, operate and maintain one or more communications lines and circuits with associated hardware, equipment, material and appliances for use by Grantee and/or other parties over, across, under or on that land in the County of \_\_\_\_\_, Mississippi, described as follows, to-wit:

Northwest one-quarter (NW $\frac{1}{4}$ ), Section 29; Southwest one-quarter (SW $\frac{1}{4}$ ), Section 20, Township 2 South, Range 7 West, adjacent to and parallel with the East side of existing Transmission Line Right of Way.

together with the right of ingress and egress to and from said right of way across the adjoining land of the Grantors, the passage of vehicles and equipment upon said right of way and the right to install and maintain guy wires and anchors beyond the limits of said right of way.

Grantee shall have the full right, without further compensation, to clear and keep clear said right of way, including the right to cut down, condition, treat or otherwise remove all trees, timber, undergrowth and other obstructions. Grantee shall have the further right to cut down, from time to time, all trees that are tall enough to strike the wire in falling, where located beyond the limits of said right of way (called "danger trees"). Payment for the first cutting of danger trees is included in the above consideration. Grantee shall pay to Grantors, or successors in title, the reasonable market value of danger trees cut thereafter.

Grantors covenant that they will not construct or permit the construction of any house, barn, well or other structure or hazard on said right of way.

~~Unless otherwise herein specifically provided, the center line of the electric power line initially constructed on this right of way shall be the center line of said right of way.~~

It is understood that Grantors shall have, at all times the right to use said right of way for any lawful purpose provided it does not interfere with the rights herein vested in Grantee, that Grantee will not enclose said right of way and that Grantor will use the best efforts to protect Grantee's property on said right of way.

WITNESS my four signatures, this the \_\_\_\_\_ day of \_\_\_\_\_, 19 89.

James Baptist  
James Baptist

STATE OF MISSISSIPPI

COUNTY OF HINDS

FORM NO. 700-7320

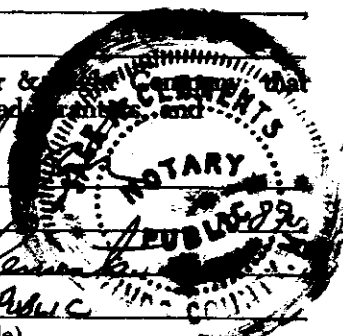
Personally appeared before me, the undersigned authority in and for the above named jurisdiction, the within named DAVID SEYLER, one of the subscribing witnesses to the foregoing instrument, who being first duly sworn, deposeth and saith that he saw the within named JAMES BAPTIST

\_\_\_\_\_ and \_\_\_\_\_ whose names are subscribed thereto, sign and deliver the same to the said Mississippi Power & Light Company, that he, this affiant, subscribed his name as a witness thereto in the presence of the above named \_\_\_\_\_ and \_\_\_\_\_

Sworn to and subscribed before me, this the 5<sup>TH</sup> day of JULY

My Commission Expires My Commission Expires August 28, 1989

Jack H. Clendenen  
NOTARY PUBLIC  
(Official Title)



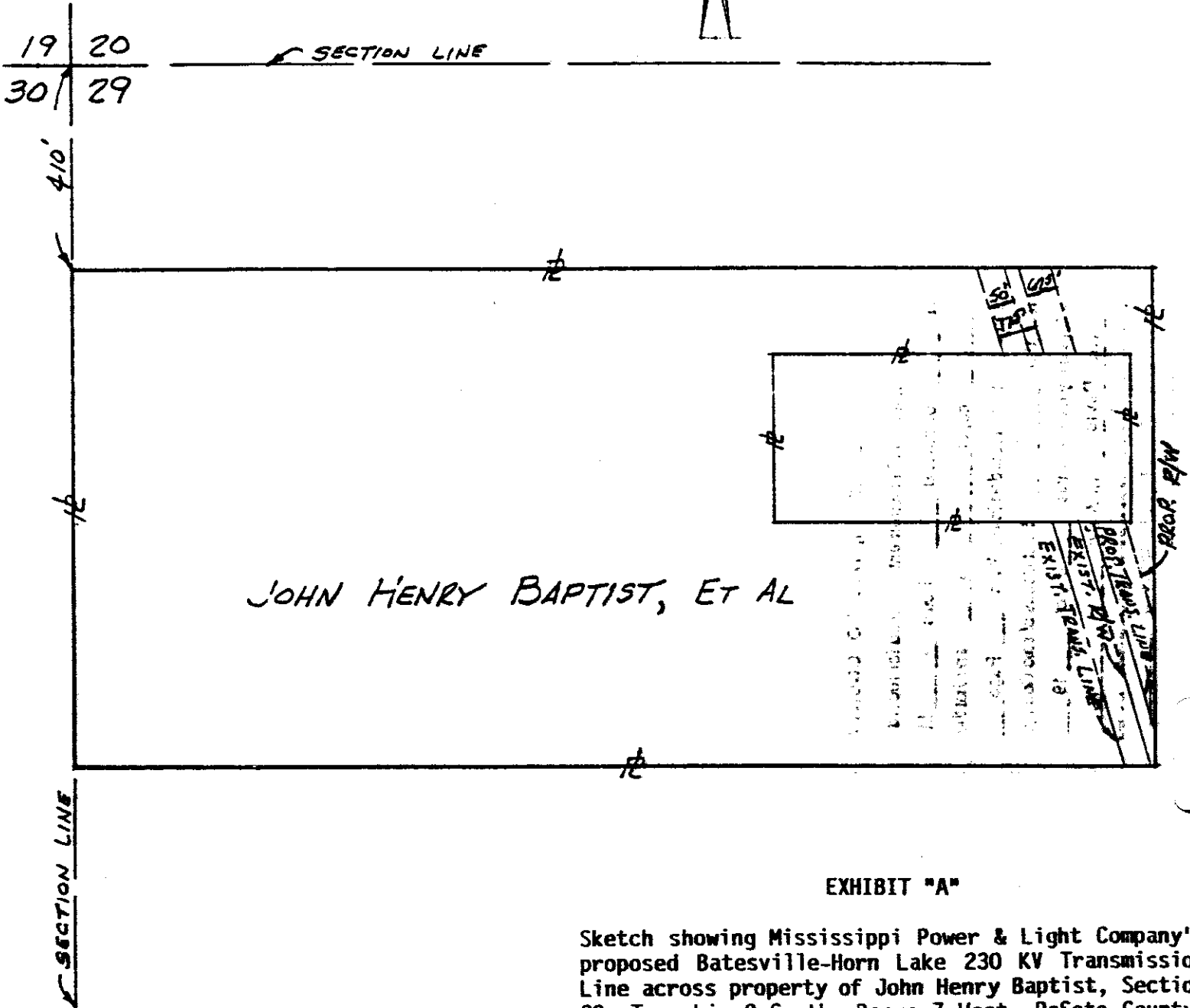


EXHIBIT "A"

Sketch showing Mississippi Power & Light Company's proposed Batesville-Horn Lake 230 KV Transmission Line across property of John Henry Baptist, Section 29, Township 2 South, Range 7 West, DeSoto County, MS

Date: 05/15/89      Scale: 1" = 300'